

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

THE PEOPLE,

Plaintiff and Respondent,

v.

CHEYENNE CHARMAINE ERVIN,

Defendant and Appellant.

F076995

(Super. Ct. No. BF165170A)

OPINION

THE COURT*

APPEAL from a judgment of the Superior Court of Kern County. John D. Oglesby, Judge.

Nicholas Seymour, under appointment by the Court of Appeal, for Defendant and Appellant.

Office of the State Attorney General, Sacramento, California, for Plaintiff and Respondent.

-ooOoo-

* Before Levy, Acting P.J., Detjen, J. and Snauffer, J.

Appointed counsel for defendant Cheyenne Charmaine Ervin asked this court to review the record to determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Defendant was advised of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant. Finding no arguable error that would result in a disposition more favorable to defendant, we affirm.

We provide the following brief description of the facts and procedural history of the case. (See *People v. Kelly* (2006) 40 Cal.4th 106, 110, 124.)

On June 12, 2016, defendant's mother's car was towed and taken to a towing company's lot. At about 1:30 a.m., defendant and a group of people forced their way into the lot. Defendant took the car without paying for the car's release. As she sped away, she almost hit an employee who jumped out of her way. She came to a stop in front of another employee who was working on the gate, then accelerated and hit him, causing him injuries.

On November 27, 2017, defendant was convicted by jury trial of two counts of assault with a deadly weapon (Pen. Code, § 245, subd. (a)(1); counts 1 & 2) and hit and run driving (Veh. Code, § 20001, subd. (a); count 3).

On January 30, 2018, the court denied defendant's motion to reduce counts 1 and 2 to misdemeanors (Pen. Code, § 17, subd. (b)(3)). The court granted probation on all counts, on the condition that defendant serve nine months in jail. The court suspended defendant's driver's license permanently (Veh. Code, § 13351.5), and imposed various fines and fees.

On February 6, 2018, defendant filed a notice of appeal.

Having undertaken an examination of the entire record, we find no evidence of ineffective assistance of counsel or any other arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.